

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26821 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- ABADPUR District- Katihar

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MINTA S/O NOOR MOHAMMAD @ NURESH R/O VILLAGE-
MALIKPUR, P.O- BISHANPUR, P.S- HARISCHANDRAPUR, DISTT.-
MALDA (W.B)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376, 323, 504, 384/34 of
the Indian Penal Code.

3. As per the prosecution case, on the assurance of
marriage petitioner repeatedly made physical relation with the
complainant and later on he refused to marry her.

4. Learned counsel appearing for the petitioner
submits that the complainant is a married lady and her conjugal
life is not good so she wanted to marry with the petitioner and
when her refused, the present case has been lodged to
pressurize him. F.I.R. has been lodged after inordinate delay of
six months without any explanation which renders the entire



prosecution case doubtful. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the victim in her 164 Cr.P.C. statement as well as in her 161 Code of Criminal Procedure statement has supported the prosecution case.

6. Considering the nature and gravity of allegation, and aforesaid statements of the victim, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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